

## Law Enforcement (FINAL)

FOR OFFICE USE ONLY:

Version # \_\_\_\_\_

APP # 700312

### ITEM 1. Proposed Project

Humboldt County is located in the northwestern corner of the state. The County encompasses 2.3 million acres of mostly rural rugged, mountainous terrain. Except for a few urban areas along the coast, the County is made up of small towns. Almost 80% of the county is forestlands, protected Redwoods and recreational areas. There are several State Parks, Redwood National Park, U.S.F.S. US Fish Wildlife Preserves and B.L.M. Property located within the county. Over 50% of the counties approximately 131,000 citizens live in the unincorporated areas patrolled by the Sheriffs Office. Humboldt County is a well-known tourist destination that brings in tourists from around the United States and the world. Many of these tourists drive 4WD vehicles or bring OHV's with them. It is estimated that over 400,00 visitors visit local beach areas during the year.

OHV riding is prevalent on many of the beaches and river bars located in the County. The county has access to approx. 40 miles of coastline. Inland there are several locations along the miles of rivers and trails that are popular destinations with OHV riders.

The county has one 75-acre OHV park, located on BLM land. These areas are open to the public and many are multi-use areas. The uses include OHV riding, hiking, backpacking, fishing, horseback riding, beach combing, swimming, surfing and hunting. Some of the areas along the beach and inland are closed to OHV riders. Portions of the beach areas have been set aside to re-establish Western Snowy Plover habitat, threatened or endangered plant species, and to allow native plants to return to previous densities. These areas are also patrolled as needed by the OHV deputies as the need arises.

Enforcement issues arise when conflicts occur between OHV user groups, Non-OHV Users, and the environment. Having the OHV deputies present allows them to educate the public prevent issues before they become a problem.

According to the B. L. M., the area office is responsible for 220, 000 acres which is patrolled by four rangers and is dispersed in three counties. B.L.M. relies on assistance from the Humboldt County Sheriff to assist in patrolling, educating the public and enforcing OHV regulations. In addition to enforcement of OHV registration laws, there are safety issues such as helmet requirements, passengers on ATVs as well as alcohol, garbage dumping, vandalism and drug violations. Areas of the Eel River Delta in the Fortuna and Loleta areas have been seeing an increase in homeless camps and garbage dumping. Per B.L. M. Ranger Knisley there have been ATV head on collisions in the beach areas in the recent past due to reckless riding. He mentioned during a recent interview that deputies assigned to patrol the beach areas, one of those positions has been directly funded by this grant, have been involved with conflict mediation and education of surfers and ATV owners.

There has been significant increase in OHV Helmet usage since the program has been enacted. This has been accomplished though education and enforcement.

The South Spit Peninsula is managed by the B.L.M. and has 4.5 miles of wave slope that is open to OHVs and total annual OHV use there is estimated at 3000 vehicles per the B. L.M.

One of the major areas of conflict is OHV trespassing in closed/restricted areas of public land or onto privately owned land, often in areas that are very rural and not clearly defined. The Humboldt County Board of Supervisors and the Sheriff made a commitment in June 2005 to fill a second OHV position out of the general fund. The two assigned deputies are continuing to impact these areas in a positive way.

The OHV Deputies frequently make contact with the public and educate them about OHV laws, and safety. The deputies educate the public legal areas to ride, and safety. These deputies are often used in Search And Rescue (S.A.R.) and carry specialized equipment to assist in S.A.R.. They frequently are first on scene to S.A.R.'s. They have a close working relationship with the U.S. Coast Guard, State Parks, National Parks, B.L.M., C.H.P., timber companies, and environmental groups. The deputies attend meetings with these organizations and governmental agencies to facilitate and educate them about local, state and federal laws, besides safety. This allows for information sharing and fosters good relationships with the organizations and the deputies. It allows the deputies to focus their attention on high-risk areas brought to their attention. Educating the public and users, and participation by OHV funded staff in community forums, has been shown to

greatly reduce the number of incidents that would rise to the level of criminal activity and has made these areas safer for all who enjoy these areas. The two deputies enjoy a unique networking opportunity with landowners, environmental groups, and the wide variety of users. This would be lost should funding for this program be reduced or cease.

## **ITEM 2. Project Coverage**

Humboldt County encompasses 3600 square miles or 2.3 million acres of mostly rural rugged, mountainous terrain. Almost eighty percent of the county is forestlands protected Redwoods and recreational areas. There are several State Parks, Redwood National Park, US Forest Service, US Fish And Wildlife Preserves and Bureau of Land Management (B.L.M.) Property located within the county. The County of Humboldt allows the public to access approximately 40 miles of coastline and several hundred, if not thousands, of acres of land along the coast. Portions of the beach access areas are limited to the wave slope only for the protection of dunes and wildlife. Humboldt County has one 75-acre OHV park dedicated to the use of ATV's 4X4's and. This park is located at the south end of the North Jetty, near Humboldt Bay. Approximately 30 miles of Humboldt County Coastline are open to off highway vehicles as long as they stay on the wave slope, areas such as Clam Beach, Centerville Beach, Mad River Beach, the South Spit, just to name a few. There are numerous river bar areas throughout the County that are popular with OHV riders. Many of these areas are open and unrestricted 24 hours a day.

The South Spit Peninsula is managed by the Bureau of land Management and has 4.5 miles of wave slope that is open to OHVs and total annual OHV use there is estimated at 3000 vehicles per the Bureau of Land Management. The Humboldt County Sheriffs Office, BLM, California Fish and Game, and the USFWS have a signed MOU to jointly patrol the South Spit Cooperative Management Area.

In addition, the County also has 33,613 of U.S. Forest Service land that has 523 miles of Level 2 roads. Current California Vehicle Code applies to all these areas serviced. Patrol in these areas without the special enforcement of the two assigned deputies, is sporadic at best.

There are several thousand acres of Timber Company Property within the county. Complaints of vehicular trespassing and vandalism by Off Highway Vehicles are common. Several of these roads are open to the public 24 hours a day and some require permits. During the hunting season, hunters utilize OHV's to access remote hunting areas. This large geographical expanse makes it essential to maintain a minimum of two deputies to this unit. There are two off road vehicles, Jeep Rubicon's, assigned exclusively to the program that are for accessing these rugged and remote areas that are virtually inaccessible in regularly equipped vehicles. The application includes requested funds that are important to maintain the vehicles assigned to the unit.

These two dedicated deputies will patrol the above areas , enforcing OHV laws and educating the public about responsible, safe OHV driving and riding.

## **ITEM 3. Describe the frequency of the patrols**

Deputies assigned to the OHV program patrol those areas where contact with OHV riders and complaints about OHV traffic are highest. Patrol is primarily conducted during daylight hours in order to contact largest number of OHV users. The two deputies provide coverage seven days a week. However, some night patrol will be done to address special problems. Patrol of areas that are easily accessible to OHV users is a priority. Consideration is given to the multi-use areas, which are popular for not only OHV use but also horseback riding, dog walking, beach combing, swimming, sunbathing, surfing, picnics, and areas where the Endangered Western Snowy Plover nests during its nesting season. Law Enforcement issues arise when conflicts occur between these user groups or users and the environment.

The deputies have a close working relationship with the United States Coast Guard, California State Parks, Unites States Fish And Wildlife Servive, National Park Service, Bureau of Land Management, California Highway Patrol, local timber companies, environmental groups such as Friends of the Dunes and the Surf Riders. These deputies attend meetings with these organizations and governmental agencies to facilitate and educate them about local, state and federal laws besides safety. This allows for information sharing and fosters good relationships with the organizations and the deputies. It is also a Risk Management tool. It allows the deputies to focus their attention on high-risk areas brought to their attention by these

groups and increase their frequencies of patrols in problem areas. Deputies are also encouraged to attend awareness projects and informational meetings where they provide educational pamphlets, as well as maps indicating the local OHV opportunities and environmental concerns.

The OHV deputies frequently adjust their schedules as necessary to ensure maximum coverage. The deputies work busy holidays, such as July 4th, Labor Day and Memorial Day, special events, as well as school graduation weekends are also worked, sometimes to include additional deputies on an overtime basis as needed.

#### **ITEM 4. Deployment of Personnel**

Two (2) full time peace officers are assigned to the program. The officers work a minimum of 40 hours a week on a split schedule to provide for daily patrol at a minimum of one deputy per shift. The deputies are allowed to adjust his/her schedule as necessary. Historically busy holidays such as July 4th, Labor Day, and Memorial Day, as well as school graduation weekends, will also be worked sometimes to include additional deputies on an overtime basis as needed. The deputies each drive Jeep Rubicons and share an ATV. The ATV they have been sharing has been in use several years. The ATV is rusting and needs replacement. The ATV is very important to enforcement, accessibility to areas and education.

The deputies attempt to patrol and deploy in those areas with the highest number of OHV's, and complaints about violations. This allows the officers the maximum amount of visibility and contact with the public. Varying their schedule as needed also keeps the offenders guessing as to where and when they work. This maximizes their effectiveness.

## LE Certification

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### Law Enforcement - Page 1

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

The Western Snowy Plover a threatened shorebird, listed by the United States Fish and Wildlife Service under the Endangered Species list, lives and nests on both the beaches and river bars, which are accessible to OHV users. These areas are not fenced or otherwise restricted to OHV use. The Plover nesting season, which runs from March through September, is also the busiest time of year for recreational usage in this area. Endangered species such as The Menzies' wallflower, Beach Layia also live on local beaches. Law enforcement presence in these areas along with education, signage, maps, and actual placing of marking tape and/or barriers is essential to the protection of these vulnerable nesting areas. OHV riders frequently become stranded in the surf and rivers, requiring rescue.. Reports of OHV riders harassing seals, sea lions and other protected species are common, along with vandalism to sensitive habitat. Future closures to OHV' s are a concern.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

This project provides law enforcement to all the OHV riding areas of the county. The result of this grant will afford more OHV opportunities to the community. This enforcement grant allows the beaches to stay open to OHV use by protecting the environment. Future closures due to environmental damage by irresponsible OHV riders are a concern. The visible law enforcement presence along with direct contact with the public for both education and enforcement provides a standard for the future course of OHV development. With the existing restrictions and enforcement of those restrictions, as well as the education provided by our presence and contact, we anticipate OHV accessibility in those areas for years to come. The OHV deputies also allow for non-OHV users to enjoy these same areas by enforcing responsible and safe OHV recreation.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

The Sheriff Office entered into an MOU with BLM, Calif. Fish and Game and U.S. Fish & Wildlife regarding enforcement on the South Spit. This is a strip of land about 10 miles long between Humboldt Bay and the mouth of the Eel River. Activities include OHV riding, waterfowl hunting, fishing, clamming, beachcombing, horseback riding, picnics. This is also a Snowy Plover nesting area. The Sheriff's Office has an understanding of concurrent jurisdiction with State Parks. A similar understanding exists with BLM regarding the non-federal violations, which can be enforced by deputies. The Sheriff's Office is the first responder for activities of many kinds. We are also relied upon as a critical back-up agency for in-progress activities where support is needed.

### Law Enforcement - Page 2

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? ☐ Yes ☒ No  
(Please select Yes or No)

Explain

We are primarily present because of the increase of people and activity in the area. We are not requested to provide law enforcement for the actual event by the event sponsors but do respond for the additional vehicle and foot traffic in the area which can be potentially damaging to the surrounding beach/dune, forest areas. We are primarily the first responder to reports of any criminal activity and hence must have the ability to reach any and all areas in order to be effective

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? (Please select Yes or No) ☒ Yes ☐ No

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

Agency personnel have training and resources for appropriate public safety responses, patrol frequently and respond to emergencies. Specific training includes but is not limited to First Responder Medic and First Aid, training specific to the type of OHV used for patrol. Beach Deputies also participate in community events to encourage safe OHV operation, provide OHV safety information handouts in field contacts, and receive specific training in OHV law enforcement. Training regarding the potential impact to natural resources and cultural resources is provided in the initial OHV training. Participating in refresher courses as well as continuing this training to remain familiar with current law, rules, and practices is necessary for maintaining the public connection and support

### Law Enforcement - Page 3

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) ☒ Yes ☐ No

8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:

The Sheriff's Office has an understanding of concurrent jurisdiction with State Parks. A similar understanding exists with BLM regarding the non-federal violations which can be enforced by the Sheriff's Office. The Sheriff's Department also has an MOU with BLM, California Fish and Game and U.S. Fish and Wildlife regarding enforcement on the shared lands within in Humboldt County. The Humboldt County Sheriff's Beach Deputies are very often the first responders to reports of violations on these properties and their relationship with Federal law enforcement officers is well established. Our ability to respond is critical to the success of our joint mission.

9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

Funds provided to the County under VC Section 38230 are used to control and manage off road vehicle access on county beach and dunes property, such as maintaining barriers, signing, in addition to rule and regulation enforcement.

### Law Enforcement - Page 4

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:

We do not manage OHV recreational facilities.

11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) ☒ Yes ☐ No

## Project Cost Estimate

FOR OFFICE USE ONLY:		Version # _____	APP # _____
<b>APPLICANT NAME :</b>	Humboldt County Sheriff's Office		
<b>PROJECT TITLE :</b>	Law Enforcement (FINAL)	<b>PROJECT NUMBER (Division use only) :</b>	G09-03-11-L01
<b>PROJECT TYPE :</b>	<input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Education & Safety <input type="checkbox"/> Ground Operations <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Planning <input type="checkbox"/> Restoration		
<b>PROJECT DESCRIPTION :</b>	<p>Humboldt County is located in the northwestern corner of the state. The County encompasses 2.3 million acres of mostly rural rugged, mountainous terrain. Except for a few urban areas along the coast, the County is made up of small towns. Almost 80% of the county is forestlands, protected Redwoods and recreational areas. There are several State Parks, Redwood National Park, U.S.F.S. US Fish Wildlife Preserves and B.L.M. Property located within the county. Over 50% of the counties approximately 131,000 citizens live in the unincorporated areas patrolled by the Sheriffs Office. Humboldt County is a well-known tourist destination that brings in tourists from around the United States and the world. Many of these tourists drive 4WD vehicles or bring OHV's with them. It is estimated that over 400,00 visitors visit local beach areas during the year.</p> <p>OHV riding is prevalent on many of the beaches and river bars located in the County. The county has access to approx. 40 miles of coastline. Inland there are several locations along the miles of rivers and trails that are popular destinations with OHV riders.</p> <p>The county has one 75-acre OHV park, located on BLM land. These areas are open to the public and many are multi-use areas. The uses include OHV riding, hiking, backpacking, fishing, horseback riding, beach combing, swimming, surfing and hunting. Some of the areas along the beach and inland are closed to OHV riders. Portions of the beach areas have been set aside to re-establish Western Snowy Plover habitat, threatened or endangered plant species, and to allow native plants to return to previous densities. These areas are also patrolled as needed by the OHV deputies as the need arises.</p> <p>Enforcement issues arise when conflicts occur between OHV user groups, Non-OHV Users, and the environment. Having the OHV deputies present allows them to educate the public prevent issues before they become a problem.</p> <p>According to the B. L. M., the area office is responsible for 220, 000 acres which is patrolled by four rangers and is dispersed in three counties. B.L.M. relies on assistance from the Humboldt County Sheriff to assist in patrolling, educating the public and enforcing OHV regulations. In addition to enforcement of OHV registration laws, there are safety issues such as helmet requirements, passengers on ATVs as well as alcohol, garbage dumping, vandalism and drug violations. Areas of the Eel River Delta in the Fortuna and Loleta areas have been seeing an increase in homeless camps and garbage dumping. Per B.L. M. Ranger Knisley there have been ATV head on collisions in the beach areas in the recent past due to reckless riding. He mentioned during a recent interview that deputies assigned to patrol the beach areas, one of those positions has been directly funded by this grant, have been involved with conflict mediation and education of surfers and ATV owners.</p> <p>There has been significant increase in OHV Helmet usage since the program has been enacted. This has been accomplished though education and enforcement.</p> <p>The South Spit Peninsula is managed by the B.L.M. and has 4.5 miles of wave slope that is open to OHVs and total annual OHV use there is estimated at 3000 vehicles per the B. L.M.</p> <p>One of the major areas of conflict is OHV trespassing in closed/restricted areas of public land or onto privately owned land, often in areas that are very rural and not clearly defined. The Humboldt County Board of Supervisors and the Sheriff made a commitment in June 2005 to fill a second OHV position out of the general fund. The two assigned deputies are continuing to impact these areas in a positive way.</p> <p>The OHV Deputies frequently make contact with the public and educate them about OHV laws, and safety. The deputies educate the public legal areas to ride, and safety. These deputies are often used in Search And Rescue (S.A.R.) and carry specialized equipment to assist in S.A.R.. They frequently are first on scene to S.A.R.'s. They have a close working relationship with the U.S. Coast Guard, State Parks, National Parks, B.L.M., C.H.P., timber companies, and environmental groups. The deputies attend meetings with these organizations and governmental agencies to facilitate and educate them</p>		

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010  
Agency: Humboldt County Sheriff's Office  
Application: Law Enforcement (FINAL)

2/17/2010

	about local, state and federal laws, besides safety. This allows for information sharing and fosters good relationships with the organizations and the deputies. It allows the deputies to focus their attention on high-risk areas brought to their attention. Educating the public and users, and participation by OHV funded staff in community forums, has been shown to greatly reduce the number of incidents that would rise to the level of criminal activity and has made these areas safer for all who enjoy these areas. The two deputies enjoy a unique networking opportunity with landowners, environmental groups, and the wide variety of users. This would be lost should funding for this program be reduced or cease.
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	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
<b>DIRECT EXPENSES</b>							
<b>Program Expenses</b>							
<b>1</b>	<b>Staff</b>						
	Law Enforcement Officers	1.000	91074.000	YR	91,074.00	0.00	91,074.00
	Law Enforcement Officers	1.000	88318.000	YR	44,159.00	44,159.00	88,318.00
	<b>Total for Staff</b>				135,233.00	44,159.00	179,392.00
<b>2</b>	<b>Contracts</b>						
<b>3</b>	<b>Materials / Supplies</b>						
<b>4</b>	<b>Equipment Use Expenses</b>						
	Vehicle Operations and Maintenance	1.500	8250.000	YR	12,375.00	0.00	12,375.00
<b>5</b>	<b>Equipment Purchases</b>						
	Other-4X4 Quad	1.000	7552.000	EA	7,552.00	0.00	7,552.00
<b>6</b>	<b>Others</b>						
	Training	2.000	1250.000	EA	2,500.00	0.00	2,500.00
	Insurance	2.000	1200.000	EA	0.00	2,400.00	2,400.00
	<b>Total for Others</b>				2,500.00	2,400.00	4,900.00
<b>7</b>	<b>Indirect Costs</b>						
	Indirect Costs-Indirect Costs	1.000	11127.000	YR	0.00	11,127.00	11,127.00
<b>Total Program Expenses</b>					157,660.00	57,686.00	215,346.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2009/2010  
Agency: Humboldt County Sheriff's Office  
Application: Law Enforcement (FINAL)

2/17/2010

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
TOTAL DIRECT EXPENSES					157,660.00	57,686.00	215,346.00
TOTAL EXPENDITURES					157,660.00	57,686.00	215,346.00



Project Cost Summary for Grants and Cooperative Agreements Program - 2009/2010  
 Agency: Humboldt County Sheriff's Office  
 Application: Law Enforcement (FINAL)

2/17/2010

	Line Item	Grant Request	Match	Total	Narrative
<b>DIRECT EXPENSES</b>					
<b>Program Expenses</b>					
1	Staff	135,233.00	44,159.00	179,392.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	0.00	0.00	0.00	
4	Equipment Use Expenses	12,375.00	0.00	12,375.00	
5	Equipment Purchases	7,552.00	0.00	7,552.00	
6	Others	2,500.00	2,400.00	4,900.00	
7	Indirect Costs	0.00	11,127.00	11,127.00	
<b>Total Program Expenses</b>		157,660.00	57,686.00	215,346.00	
<b>TOTAL DIRECT EXPENSES</b>		157,660.00	57,686.00	215,346.00	
<b>TOTAL EXPENDITURES</b>		<b>157,660.00</b>	<b>57,686.00</b>	<b>215,346.00</b>	

## Environmental Review Data Sheet (ERDS)

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### ITEM 1 and ITEM 2

#### ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? ☐ Yes ☒ No  
(Please select Yes or No)

#### ITEM 2

- b. Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b)) (Please select Yes or No) ☐ Yes ☒ No

### ITEM 3 - Project under CEQA Guidelines Section 15378

- c. ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? ☐ Yes ☒ No  
(Please select Yes or No)
- d. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. (Please select Yes or No) ☒ Yes ☐ No
- e. Other. Explain why proposed activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. DO NOT complete ITEMS 4 – 10

### ITEM 4 - Impact of this Project on Wetlands

### ITEM 5 - Cumulative Impacts of this Project

### ITEM 6 - Soil Impacts

### ITEM 7 - Damage to Scenic Resources

### ITEM 8 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards.

### ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) ☐ Yes ☒ No

Discuss the potential for the proposed Project to have any substantial adverse impacts to historical or cultural resources.

### ITEM 10 - Indirect Significant Impacts

**CEQA/NEPA Attachment**